

Message Text

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ACTION COA-02

INFO OCT-01 ARA-16 ISO-00 PM-07 NSC-10 SPC-03 SAM-01 SS-20

RSC-01 EB-11 INT-08 COME-00 TRSE-00 DLOS-06 CIAE-00

DODE-00 INR-10 NSAE-00 PA-04 USIA-15 PRS-01 NIC-01

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FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 5182

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E. O. 11652: N/A

TAGS: EFIS BF

SUBJ: ARREST OF CREW OF TWO US-BASED VESSELS FOR POACHING IN
BAHAMIAN WATERS

REF: NASSAU 103

1. ON FRIDAY, JANUARY 25, THE BAHAMIAN MARINE POLICE, IN TWO SEPARATE INCIDENTS, ARRESTED CREWS OF TWO FLORIDA REGISTERED FISHING VESSELS ("MERCEDES ISOBAS" AND "HI HO") FOR ILLEGAL FISHING IN BAHAMIAN WATERS. WHILE BEING TWOED TO NASSAU, THE "MERCEDES ISOBAS" DREW EXCESSIVE WATER AND SANK. THE "MERCEDES ISOBAS" WAS FISHING UNDER CONTRACT TO ATCO MARINE SERVICES. THE "HI HO" WAS UNDER CONTRACT TO NATIONAL FISHERIES. BOTH FIRMS ARE LOCATED IN MIAMI.

2. IN A TRIAL BEFORE THE BAHAMIAN MAGISTRATE ON JANUARY 28, THE FISHERMEN, NONE OF WHOM ARE US CITIZENS, WERE SENTENCED AS FOLLOWS FOR POACHING VIOLATIONS:

PEDRO MONTILLA, PAROLEE, CAPTAIN OF THE "MERCEDES ISOBAS", WAS SENTENCED TO \$2,500 FINE OR SIX MONTHS IMPRISONMENT.

CREWMEN EDUARDO MONTILLA, PAROLEE, AND MARIO DIAZ, PAROLEE,
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WERE SENTENCED TO \$1,500 OR FOUR MONTHS IMPRISONMENT.

MOISE JUAN ORTEGA, RESIDENT ALIEN, CAPTAIN OF THE "HI HO", WAS SENTENCED TO A FINE OF \$3,000 OR NINE MONTHS IMPRISONMENT, AND CREWMAN BIENVENIDO ACHEVARRIA, PAROLEE, WAS SENTENCED TO A FINE OF \$3,000 OR EIGHT MONTHS. ACHEVARRIA HAD ALSO APPEARED BEFORE THE NASSAU COURT FOR A SIMILAR FISHING VIOLATION IN JANUARY 1972.

THE MAGISTRATE STATED HE DEALT "LESS HARSHLY" WITH THE MEN FROM THE "MERCEDES ISOBAS" BECAUSE HE TOOK THE LOSS OF THEIR BOAT INTO ACCOUNT. THE MEN HAVE NOT YET RAISED FUNDS TO PAY THEIR FINES. FINAL DISPOSITION OF THE "HI HO" BY THE MINISTRY OF FISHERIES IS YET TO BE DETERMINED.

3. COMMENT: FINES IN THIS CASE WERE MUCH MORE SEVERE THAN THOSE ACCORDED TO RECENT CUBAN FISHERMEN (REFTEL). WE ASCRIBE THIS TO SEVERAL FACTORS INCLUDING FACT THAT GCOB HAS HAD REPEATED AND CONTINUING DIFFICULTIES WITH FLORIDA-BASED CUBANS, AND THAT CUBAN GOVERNMENT "GUARANTEED" THERE WOULD BE NO REPETITION OF INCIDENT. IN PRESENT CASE, FISHERMEN ADMITTED FISHING WITHIN 12 MILE CFZ. WE EXPECT GCOB WILL BE INCREASINGLY TOUGH IN THESE CASES UNLESS AND UNTIL POACHERS GET THE WORD THAT GOVERNMENT IS DETERMINED TO PROTECT ITS PROCLAIMED INTERESTS.
SPIERS

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